

# EXHIBIT C

**Chart of Defendants' Proposed Construction of Remaining Disputed Terms**

<b><u>Term</u></b>	<b><u>Defendants' Proposed Construction</u></b>
Customer identifier Claims (1-7, 10-16)	unique identifying account number
Obligation Claims (1, 10, 19)	amount owed by merchant other than processing fees, <i>i.e.</i> , discount rate, interchange fee, and network fee
Debit card Claims (3, 12)	card linked to a deposit account that can be used to make purchases
Smart card Claims (4, 13)	card containing an integrated circuit, such as a microprocessor or a memory, that can be used to make purchases
Accumulating the payments until a predetermined amount is reached Claims (8, 17)	accumulating the payments until a predetermined monetary amount is reached
Periodically forwarding Claims (9, 18)	forwarding at an interval other than upon every payment
Third party Claims (10, 17-19)	party other than the merchant
<b>Means-Plus-Function Claims</b>	
Means for Forwarding <sup>1</sup> Claims (10, 17-19)	<b>Function:</b> "forwarding payment <sup>2</sup> " or "forwarding information <sup>3</sup> "
	<b>Corresponding Structure:</b> None
Means for receiving the information related to the payment from the merchant Claims (10, 17-19)	<b>Function:</b> "receiving the information related to the payment from the merchant"
	<b>Corresponding Structure:</b> None
Means for accepting customer identifiers as payment <sup>4</sup> Claims (10, 17-19)	<b>Function:</b> "accepting a customer identifier as payment from the customer"
	<b>Corresponding Structure:</b> keyboard, magnetic card reader, telephone, World Wide Web page, physical delivery and U.S. Postal Service

Means for accumulating the payments until a predetermined amount is reached Claims (10, 17-19)	<b>Function:</b> “accumulating the payments until a predetermined amount is reached”
	<b>Corresponding Structure:</b> “one or more computers programmed or configured to accumulate payments it receives until a predetermined monetary amount is reached.”
Means for authorizing the payment Claims (10, 17-19)	<b>Function:</b> “authorizing the payment”
	<b>Corresponding Structure:</b> “one or more computers programmed or configured to receive the authorization request from the merchant, route the authorization request to the card issuer and receive approval of the authorization from the card issuer.”
Means for settling the payment Claims (10, 17-19)	<b>Function:</b> “settling the payment”
	<b>Corresponding Structure:</b> “one or more computers programmed or configured to submit the amount of the customer’s purchase to the card issuer and receive or be credited some amount by the card issuer.”

<sup>1</sup> Includes:

- “Means . . . for electronically forwarding information related to the payment to a computerized merchant processor”
- “Means for forwarding a portion of the payment to the third party”
- “Means for forwarding at least a portion of the accumulated payments to the third party”
- “Means for periodically forwarding at least a portion of the payment to the third party”
- “Means for forwarding to the third party an amount that is a percentage of the obligation”

<sup>2</sup> Refers to:

- “Means for forwarding a portion of the payment to the third party”
- “Means for forwarding at least a portion of the accumulated payments to the third party”
- “Means for periodically forwarding at least a portion of the payment to the third party”
- “Means for forwarding to the third party an amount that is a percentage of the obligation”

<sup>3</sup> Refers specifically to “means . . . for electronically forwarding information related to the payment to a computerized merchant processor”

<sup>4</sup> Also includes:

- “Means for accepting a credit card number as the customer identifier”
- “Means for accepting a debit card number as the customer identifier”
- “Means for accepting a smart card number as the customer identifier”
- “Means for accepting a charge card number as the customer identifier”
- “Means for accepting the customer identifier at a merchant location”
- “Means for electronically accepting the customer identifier”